

42. (Amended) The prokaryotic expression vector of claim 74, wherein said expression vector is a lambda phage vector.

1
Conclusion 43. (Amended) The prokaryotic expression vector of claim 74, wherein said prokaryotic expression vector encodes a fusion protein.

2
Continued 45. (Twice Amended) The prokaryotic expression vector of claim 74, wherein said prokaryotic expression vector comprises a 1.0 kB SmaI/SmaI fragment of HCMV.

46. (Amended) The prokaryotic expression vector of claim 74, wherein said prokaryotic expression vector comprises a 0.5 kB KpnI/SmaI fragment of HCMV.

47. (Amended) The prokaryotic expression vector of claim 74, wherein said prokaryotic expression vector comprises a 0.5 kB SmaI/KpnI fragment of HCMV.

48. (Amended) The prokaryotic cell of claim 76, wherein said prokaryotic cell is a bacterium.

49. (Amended) The prokaryotic cell of claim 76, wherein said prokaryotic cell is *E. Coli*.

50. (Twice Amended) The prokaryotic cell of claim 76, wherein said DNA molecule comprises a 1.0 kB SmaI/SmaI fragment of HCMV.

51. (Amended) The prokaryotic cell of claim 76, wherein said DNA molecule comprises a 0.5 kB KpnI/SmaI fragment of HCMV.

2. amended.

52. (Amended) The prokaryotic cell of claim 76, wherein said DNA molecule comprises a 0.5 kB SmaI/KpnI fragment of HCMV.

55. (Amended) The eukaryotic cell of claim 83, wherein said eukaryotic cell is a fibroblast.

56. (Amended) The eukaryotic cell of claim 83, wherein said fibroblast is a human fibroblast.

57. (Amended) The eukaryotic cell of claim 83, wherein said eukaryotic cell is a human cell.

58. (Twice Amended) The eukaryotic cell of claim 83, wherein said DNA molecule comprises a 1.0 kB SmaI/SmaI fragment of HCMV.

59. (Amended) The eukaryotic cell of claim 83, wherein said DNA molecule comprises a 0.5 kB KpnI/SmaI fragment of HCMV.

60. (Amended) The eukaryotic cell of claim 83, wherein said DNA molecule comprises a 0.5 kB SmaI/KpnI fragment of HCMV.

64. (Amended) The prokaryotic expression vector of claim 74, wherein said prokaryotic expression vector comprises a 1.0 kB SmaI/SmaI fragment of HCMV strain Ad 169.

65. (Amended) The prokaryotic expression vector of claim 74, wherein said prokaryotic expression vector comprises a 0.5 kB KpnI/SmaI fragment of HCMV strain

3

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Ad 169.

66. (Amended) The prokaryotic expression vector of claim 74, wherein said prokaryotic expression vector comprises a 0.5 kB SmaI/KpnI fragment of HCMV strain Ad 169.

67. (Amended) The prokaryotic cell of claim 76, wherein said DNA molecule comprises a 1.0 kB SmaI/SmaI fragment of HCMV strain Ad 169.

68. (Amended) The prokaryotic cell of claim 76, wherein said DNA molecule comprises a 0.5 kB KpnI/SmaI fragment of HCMV strain Ad 169.

69. (Amended) The prokaryotic cell of claim 76, wherein said DNA molecule comprises a 0.5 kB SmaI/KpnI fragment of HCMV strain Ad 169.

70. (Amended) The eukaryotic cell of claim 83, wherein said DNA molecule comprises a 1.0 kB SmaI/SmaI fragment of HCMV strain Ad 169.

71. (Amended) The eukaryotic cell of claim 83, wherein said DNA molecule comprises a 0.5 kB KpnI/SmaI fragment of HCMV strain Ad 169.

72. (Amended) The eukaryotic cell of claim 83, wherein said DNA molecule comprises a 0.5 kB SmaI/KpnI fragment of HCMV strain Ad 169.

Please cancel claims 19, 21, and 54, and add new claims 73-86 as follows:

--73. (New) A prokaryotic expression vector comprising the entire HCMV pp28 that elicits antibodies that immunologically bind to pp28, wherein said vector expresses

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

said entire HCMV pp28 in prokaryotic cells.

74. (New) A prokaryotic expression vector comprising an antigenic portion of HCMV pp28 that elicits antibodies that immunologically bind to pp28, wherein said vector expresses said antigenic portion of HCMV pp28 in prokaryotic cells.

75. (New) A prokaryotic cell which is transformed with a recombinant DNA molecule comprising the entire HCMV pp28 that elicits antibodies that immunologically bind to pp28, wherein said cell expresses said entire HCMV pp28.

76. (New) A prokaryotic cell which is transformed with a recombinant DNA molecule comprising an antigenic portion of HCMV pp28 that elicits antibodies that immunologically bind to pp28, wherein said cell expresses said antigenic portion of HCMV pp28.

77. (New) The prokaryotic expression vector of claim 73, wherein said expression vector is a bacteriophage vector.

78. (New) The prokaryotic expression vector of claim 73, wherein said expression vector is a lambda phage vector.

79. (New) The prokaryotic expression vector of claim 73, wherein said prokaryotic expression vector encodes a fusion protein.

80. (New) The prokaryotic cell of claim 75, wherein said prokaryotic cell is a bacterium.

5
Jeonid
FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

81. (New) The prokaryotic cell of claim 75, wherein said prokaryotic cell is *E. Coli*.
82. (New) A eukaryotic cell which is transformed with a recombinant DNA molecule comprising the entire HCMV pp28 that elicits antibodies that immunologically bind to pp28, wherein said cell expresses said entire HCMV pp28 in said cell.
83. (New) A eukaryotic cell which is transformed with a recombinant DNA molecule comprising an antigenic portion of HCMV pp28 that elicits antibodies that immunologically bind to pp28, wherein said cell expresses said antigenic portion of HCMV pp28 in said cell.
84. (New) The eukaryotic cell of claim 82, wherein said eukaryotic cell is a fibroblast.
85. (New) The eukaryotic cell of claim 82, wherein said fibroblast is a human fibroblast.
86. (New) The eukaryotic cell of claim 82, wherein said eukaryotic cell is a human cell.--

REMARKS

Applicants have amended claims 41-43, 45-52, 55-60, and 64-72, and added claims 73-86 to more particularly point out and distinctly claim the subject matter Applicants regard as their invention. No new matter has been added, and the Office's